



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



Gary Fitzgerald
40 Lupkin Rd
Weare, NH 03281

LETTER OF DEFICIENCY
SP-2001-014
July 16, 2001

RE: DES Shoreland Protection File # SP-01-053-01, Old Town Rd, Weare, NH

Dear Mr. Fitzgerald

On July 16, 2001, personnel from the Department of Environmental Services ("DES") conducted an inspection of the property, more specifically referenced on Town of Weare Tax Map 109 as Lot 53.3 ("the Lot"). The purpose of the inspection was to determine compliance with RSA 482-A, RSA 483-B, the NH Code of Administrative Rules Wt 100-800, and Env-Ws 1400.

During the inspection the following was documented:

- 1 Fill covering an area measuring approximately 18 ft feet wide by 43 ft in length has been placed in wetland jurisdiction.
- 2 Within the natural woodland buffer of the protected shoreland, a healthy, well-distributed stand of trees, saplings, shrubs and ground covers was not left in place.
- 3 Erosion controls were not in place.

A permit is required from the Wetlands Bureau before doing any work in a jurisdictional area; in this case, placement of fill on the bank of Daniels Lake.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. The restoration plan should include provisions for removal of the fill. The following should be included with the restoration plan:
 - a. A plan with dimensions, drawn to scale, showing:
 - i. existing conditions, and
 - ii. proposed conditions after removal of the fill;
 - b. A detailed description of the proposed means of erosion and sediment control and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. The planting plan should specify

The written restoration report outlining corrective measures shall be addressed as follows:

Allyson Gourley
Shoreland Compliance Coordinator
Department of Environmental Services
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Allyson Gourley (603) 271-6876.

Sincerely,
COPY
Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL

Cc: DES Water Division, Rene Pelletier, Manager, Land Resources Management Program
DES Enforcement Coordinator, Gretchen Rule ✓
Weare Conservation Commission
Weare Board of Selectman
Allyson Gourley, DES
Richard Head, DES